

Theodore R. Kingsley
Senior Regulatory Counsel

BellSouth Corporation
Legal Department – Suite 4300
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375-0001
Telephone: 404-335-0720
Facsimile: 404-614-4054

February 22, 2002

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Room TW-A325
445 12th Street, SW
Washington, D.C. 20554

**Re: Request for Special Temporary Authority To Expand BellSouth's Existing
Directory Assistance Capabilities; CC Docket No. 01-288**

Dear Ms. Salas:

BellSouth Corporation, on behalf of its wholly owned subsidiary, BellSouth Telecommunications, Inc. (collectively "BellSouth"), proposes to expand the search capabilities offered in connection with three of its existing directory assistance ("DA") services: (1) Direct Access to Directory Assistance Service ("DADAS"); (2) operator-assisted reverse DA; and (3) Electronic White Pages Service ("EWPS"). BellSouth would like to begin a phased offering of expanded search capabilities in connection with these three services throughout its nine-state region beginning March 25, 2002. So that it may start on March 25, BellSouth respectfully requests that the Common Carrier Bureau ("Bureau") grant it the special temporary authority to expand its existing DA services.¹ This would be consistent with the Bureau's earlier approval of BellSouth's recent request for special temporary authority to expand its operator-assisted and electronic offerings to provide nonlocal² reverse DA service.³ The Bureau also granted similar requests from both SBC (Nevada Bell, Pacific Bell, Southwestern Bell Telephone Company,

¹ If, for any reason, the Commission or the Common Carrier Bureau, acting under its delegated authority, determines that a request for special temporary authority requires the filing of a formal petition, BellSouth respectfully requests that this letter be treated as such a petition.

² Reverse directory assistance is considered "nonlocal" whenever a customer requests the name and/or address of an individual or business outside the customer's home LATA or area code by providing a telephone number. See *Petition of U S WEST Communications, Inc. for a Declaratory Ruling Regarding the Provision of National Directory Assistance*, CC Docket No. 97-172, *Memorandum Opinion and Order*, 14 FCC Rcd 16252, 16255, ¶ 6 (1999) ("NDA Order"). In its petition, BellSouth sought to expand its reverse DA services to include DA information for individuals or businesses beyond its nine-state region.

³ See Attachment 1 (Letter from Angela N. Brown, Regulatory Counsel, BellSouth Corporation, to Magalie Roman Salas, Secretary, FCC, Re: Request for Special Temporary Authority To Expand BellSouth's Existing Reverse Directory Assistance Capabilities To Include

Southern New England Telephone, and the Ameritech Telephone Companies) and Qwest Corporation seeking special temporary authority to provide operator-assisted reverse DA services.⁴

BellSouth is filing a concurrent amendment to its pending petition for waiver⁵ of the Commission's Comparably Efficient Interconnection ("CEI") requirements. BellSouth requests action by the Commission in order to provide additional reverse DA services on a permanent basis. A copy of the Petition is attached and is incorporated by reference.

BellSouth's request for special temporary authority is designed to enable BellSouth to offer its customers – both DA providers and end users – an enhanced suite of DA services. BellSouth's DADAS product is a federally tariffed service that allows the live operators of a DA provider to access BellSouth-owned directory assistance databases in order to retrieve directory listings requested by that DA provider's end users. Currently, BellSouth's DADAS offering allows a DA provider's operator to provide end users with a telephone number and/or address upon the input of a name. BellSouth proposes to enhance its DADAS offering to include a new reverse search capability: the capability to search by telephone number to obtain a subscriber name, address, or both. The reverse search by telephone number method is similar to that currently allowed for BellSouth's operator-assisted and EWPS reverse search services. BellSouth is seeking to add a reverse search capability to its DADAS offering in order to provide an enhanced product that will accommodate the demands and needs of its customers and their end users.

Nonlocal Listings, CC 01-288 (filed Sept. 27, 2001) (stamped "granted" by Common Carrier Bureau on Oct. 17, 2001)). The Commission has yet to rule on the related Petition for Waiver seeking permanent authority.

⁴ SBC filed a request for special temporary authority to offer an operator-assisted reverse directory assistance service on March 30, 2000, asking for relief by April 7, 2000. *See* SBC Letter to Magalie Roman Salas from Sandra L. Wagner, Vice President, Federal Regulatory (dated March 30, 2000). On April 6, 2000, the Bureau granted the requested authority. A copy of the "granted" stamped front page is attached for the Bureau's convenience. *See* Attachment A to letter from Angela N. Brown, filed Sept. 27, 2001. Qwest filed a nearly identical request for special temporary authority on June 8, 2001, asking for relief by June 18, 2001. *See* Qwest Letter to Magalie Roman Salas from Kathryn Marie Krause, Senior Attorney (dated June 8, 2001). The Bureau also granted the authority sought by Qwest. On November 1, 2001, the Commission granted SBC and Qwest permanent authority to provide operator-assisted reverse DA services.

⁵ Petition for Waiver, BellSouth Petition to Provide Nonlocal Operator-Assisted Reverse Directory Assistance and Nonlocal Electronic Reverse Directory Assistance and for Waiver of Any Comparably Efficient Interconnection ("CEI") Requirements That the Commission Might Deem Required, CC Docket No. 01-288 (filed Sept. 27, 2001).

The instant request also seeks authority to offer BellSouth's own end users an immediate, additional means of obtaining reverse search services in connection with BellSouth's operator-assisted and EWPS offerings. Specifically, BellSouth's end users would be able to obtain a name and/or telephone number by providing all or part of a street address and/or a range of street addresses. Customers are already able to obtain: (1) a telephone number and/or address by providing a name; and (2) a name and/or address by providing a telephone number.

For DADAS, operator-assisted reverse DA, and EWPS, BellSouth would provide the additional DA information using the same databases and directory listing information available to other providers of directory assistance today, a number of which use these listings to provide similar types of reverse DA capabilities.

BellSouth has been providing operator-assisted reverse DA service since 1989 when it received authority pursuant to an order of the Modified Final Judgment ("MFJ") court.⁶ BellSouth later received authority to provide its electronic reverse search service in conjunction with its EWPS offering after the Commission found this service to be in the public interest and granted a waiver of the CEI requirements.⁷ As indicated above, the Commission recently granted BellSouth special temporary authority to expand its operator-assisted and EWPS offerings to provide nonlocal reverse DA service.⁸ The reasons for granting BellSouth's recent request – as well as for granting the similar SBC and Qwest requests to provide operator-assisted reverse directory services – are equally applicable in this case: consumers benefit from the services; competitive alternatives are available; the telephone companies would be unlikely to provide the service if they were required to comply with the CEI and separate affiliate requirements; and the public interest would be served by providing consumers with another directory assistance option and doing so without delay.

Given the existence of prior waivers and exceptions, and the similarity of the capability BellSouth now seeks to offer to those services already provided by BellSouth pursuant to prior waivers and grants of authority, the instant request warrants and supports a grant of special

⁶ *United States v. Western Electric*, No. 82-0192 (D.D.C. June 2, 1989). It is important to note that BellSouth, unlike either SBC or Qwest, has been authorized to provide operator-assisted reverse search services pursuant to an MFJ waiver since 1989.

⁷ *U S WEST Communications, Inc. Petition for Computer III Waiver; BellSouth Petition for Waiver of Computer III Rules for Reverse Search Capability; Southwestern Bell Telephone Company Petition for Waiver of Computer III Rules for Reverse Search Capability*, CC Docket No. 90-623, *Memorandum Opinion and Order on Reconsideration*, 11 FCC Rcd 7997 (1996).

⁸ See Attachment 1 (Letter from Angela N. Brown, Regulatory Counsel, BellSouth Corporation, to Magalie Roman Salas, Secretary, FCC, Re: Request for Special Temporary Authority To Expand BellSouth's Existing Reverse Directory Assistance Capabilities To Include Nonlocal Listings, CC 01-288 (filed Sept. 27, 2001) (stamped "granted" by Common Carrier Bureau on Oct. 17, 2001)).

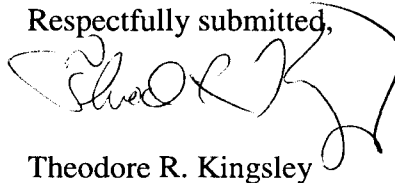
temporary authority.⁹ Accordingly, BellSouth requests that the Bureau authorize BellSouth to begin offering the above-described reverse search capabilities in connection with BellSouth's current DA services as soon as possible. A grant of special temporary authority would not only serve both the interests of competition and the public, but also conform with other Commission practices (*e.g.*, allowing a tariff to take effect on a one-day suspension, and permitting the service to be provided while the matter is investigated).

If the Bureau grants this request, BellSouth will comply with the Commission's joint cost rules and make the appropriate adjustments to its Cost Allocation Manual. BellSouth will also comply with the Customer Proprietary Network Information ("CPNI") requirements set forth in Section 222 of the 1996 Telecommunications Act and the Commission's implementing rules.

If the Commission denies BellSouth's attached Amendment to Petition for Waiver, BellSouth agrees that, within 30 days of public notice of the Commission's decision or order, it will either come into compliance with the conditions set forth in such a decision or order or withdraw the reverse DA offerings. Consequently, no one will be harmed by the Bureau's grant of this request. Moreover, the public will benefit from the requested temporary authority.

Thank you for your consideration. Please call me with any questions or for any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Theodore R. Kingsley', written over a horizontal line.

Theodore R. Kingsley

Attachments

cc: Michelle Carey
William A. Kehoe, III
Janice M. Myles
Ann H. Stevens
Renee Crittendon

⁹ See *Melody Music, Inc. v. FCC*, 345 F.2d 730 (D.C. Cir. 1965) (holding that the Commission must ensure comparable treatment of similarly situated parties).

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

BellSouth Petition for Waiver of
the *Computer III* Comparably Efficient
Interconnection ("CEI") Requirements

CC Docket No. 01-288

AMENDMENT TO PETITION FOR WAIVER

BellSouth Corporation, on behalf of its wholly owned subsidiary, BellSouth Telecommunications, Inc. (collectively "BellSouth"), hereby submits this amendment to its pending petition for waiver of the *Computer III* Comparably Efficient Interconnection ("CEI") requirements. On September 27, 2001, BellSouth submitted a petition requesting that the Commission waive its CEI requirements so that BellSouth could expand two of its existing Directory Assistance ("DA") services to provide nonlocal listing information to its customers.¹ Specifically, BellSouth requested authority to expand both its operator-assisted and electronic offerings to provide nonlocal reverse DA service.² BellSouth filed a Request for Special Temporary Authority, which the Commission granted on October 17, 2001.³

¹ See BellSouth Petition to Provide Nonlocal Operator-Assisted Reverse Directory Assistance and Nonlocal Electronic Reverse Directory Assistance and For Waiver of Any Comparably Efficient Interconnection ("CEI") Requirements That the Commission Might Deem Required, CC Docket No. 01-288 (filed Sept. 27, 2001).

² Reverse directory assistance is considered "nonlocal" whenever a customer requests the name and/or address of an individual or business outside the customer's home LATA or area code by providing a telephone number. See *Petition of U S WEST Communications, Inc. for a Declaratory Ruling Regarding the Provision of National Directory Assistance*, CC Docket No. 97-172, *Memorandum Opinion and Order*, 14 FCC Rcd 16252, 16255, ¶ 6 (1999) ("NDA

BellSouth amends its pending petition seeking a waiver of the CEI requirements in order to enhance its DA services even further. BellSouth proposes to expand the search capabilities offered in connection with three of its existing DA services: (1) Direct Access to Directory Assistance Service (“DADAS”); (2) operator-assisted reverse DA; and (3) Electronic White Pages Service (“EWPS”). For the reasons stated herein, BellSouth urges the Commission to grant the relief requested herein.

I. SERVICE DESCRIPTION AND BACKGROUND

A. Direct Access to Directory Assistance Service (“DADAS”)

BellSouth’s DADAS product is a federally tariffed service that allows the operators of a DA provider to access BellSouth-owned directory assistance databases in order to retrieve directory listings requested by that DA provider’s end users. BellSouth’s DADAS offering provides the operators of DA providers direct access to more than 26 million DA listings in the BellSouth nine-state region as well as more than 130 million national listings. The DADAS subscriber uses its own dedicated facilities to interface with BellSouth’s DADAS offering. In other words, the DADAS subscriber provides its own switch, operator workstations, and transport facilities in order to use this service. BellSouth operators are not involved in the provision of this service, nor are any BellSouth transport services used.

Order”). In its petition, BellSouth sought to expand its reverse DA services to include DA information for individuals or businesses beyond its nine-state region.

³ See Attachment 1 (Letter from Angela N. Brown, Regulatory Counsel, BellSouth Corporation, to Magalie Roman Salas, Secretary, FCC, Re: Request for Special Temporary Authority To Expand BellSouth’s Existing Reverse Directory Assistance Capabilities To Include Nonlocal Listings, CC 01-288 (filed Sept. 27, 2001) (stamped “granted” by Common Carrier Bureau on Oct. 17, 2001)). The Commission has yet to rule on the related Petition for Waiver seeking permanent authority.

BellSouth's current DADAS product does not include any reverse search capabilities. The existing offering enables the operators of DADAS subscribers to provide traditional directory assistance. In other words, the DA provider's operators access BellSouth's directory assistance databases to obtain telephone numbers in response to the input of a name. BellSouth proposes to enhance its DADAS offering to include the capability to search by telephone number to obtain a subscriber name, address, or both. The affidavit of Heather Bonna Murray, Attachment 2, describes the requested enhancement to DADAS. The reverse search by telephone number method is similar to that currently allowed for BellSouth's operator-assisted and EWPS reverse search services (both of which are explained more fully below). BellSouth is seeking to add the above-described reverse search capability in order to provide an enhanced product that will accommodate the demands and needs of its customers and their end users.

B. Operator-Assisted and Electronic White Pages Service Reverse DA

BellSouth has been granted authority to offer two forms of reverse DA service. The first form is offered as part of, or in conjunction with, traditional voice-based or operator-assisted DA services. The second form provides an on-line database access capability and is offered in conjunction with BellSouth's EWPS service. BellSouth's current reverse search capability for these two services provides a name, address, or both, in response to the input of a telephone number, as compared with traditional directory assistance, which provides a telephone number and/or address in response to the input of a name.

BellSouth has been providing operator-assisted reverse DA service since 1989 when it received authority pursuant to an order of the Modified Final Judgment ("MFJ") court.⁴

⁴ *United States v. Western Electric*, No. 82-0192 (D.D.C. June 2, 1989).

BellSouth later received authority to provide its electronic reverse search service in conjunction with its EWPS offering after the Commission found this service to be in the public interest and granted a waiver of the CEI requirements.⁵ Most recently, the Common Carrier Bureau granted BellSouth special temporary authority to expand the reverse search capabilities associated with its existing operator-assisted and EWPS DA services.⁶

In this amendment, BellSouth requests an extension of the authority and/or waivers previously granted for the provision of its operator-assisted and EWPS reverse DA services so that it may add the capability to search by all or part of a street address or range of street addresses. As indicated above, customers are already able to obtain (1) a telephone number and/or address by providing a name; and (2) a name and/or address by providing a telephone number. The only difference in the services would be that customers would be able to obtain a name and/or telephone number by providing all or part of a street address or range of street addresses. In all other respects, both the operator-assisted and EWPS reverse DA services would remain the same.

⁵ *U S WEST Communications, Inc. Petition for Computer III Waiver; BellSouth Petition for Waiver of Computer III Rules for Reverse Search Capability; Southwestern Bell Telephone Company Petition for Waiver of Computer III Rules for Reverse Search Capability*, CC Docket No. 90-623, *Memorandum Opinion and Order on Reconsideration*, 11 FCC Rcd 7997 (1996).

⁶ *See* Attachment 1 (Letter from Angela N. Brown, Regulatory Counsel, BellSouth Corporation, to Magalie Roman Salas, Secretary, FCC, Re: Request for Special Temporary Authority To Expand BellSouth's Existing Reverse Directory Assistance Capabilities To Include Nonlocal Listings, CC 01-288 (filed Sept. 27, 2001) (stamped "granted" by Common Carrier Bureau on Oct. 17, 2001)).

The Commission previously granted BellSouth forbearance from the Section 272 separate affiliate requirements in order to provide both operator-assisted and EWPS reverse DA services.⁷ Notwithstanding this prior grant of forbearance, it is no longer necessary to seek forbearance since the prohibition on the Bell Operating Companies' offering of interLATA information services expired on February 8, 2000.⁸ To the extent the Commission determines that there are any other orders or rules that would prevent or affect BellSouth's provisioning of the proposed services, BellSouth requests a waiver of those orders or rules.

II. PUBLIC INTEREST BENEFITS

The public interest benefits of providing reverse search information were recognized over a decade ago by the United States District Court for the District of Columbia when it granted waivers to Ameritech⁹ and BellSouth¹⁰ allowing them to offer reverse search capabilities. Consumers desire such information in order to fully utilize their basic telecommunications services and satisfy their business needs.¹¹ For example, a paging service customer receiving a

⁷ *Bell Operating Companies Petitions for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities*, CC Docket No. 96-149, *Memorandum Opinion and Order*, 13 FCC Rcd 2627 (1998) ("*BellSouth Forbearance Order*").

⁸ *Request for Extension of the Sunset Date of the Structural, Nondiscrimination and Other Behavioral Safeguards Governing Bell Operating Company Provision of In-Region InterLATA Information Services*, CC Docket No. 96-149, *Order*, 15 FCC Rcd 3267 (2000).

⁹ *United States v. Western Electric Co., Inc.*, 1989 U.S. Dist. LEXIS 5156, 1989-1 Trade Cas. (CCH) P68, 433 (D.D.C. Feb. 6, 1989).

¹⁰ *United States v. Western Electric*, No. 82-0192 (D.D.C. June 2, 1989).

¹¹ *See, e.g.*, Nevada Bell, *et al.* Petition for Waivers and/or Forbearance, filed Mar. 30, 2000 at n.5 ("when faced with the prospect of losing the reverse search functionality of SWBT's DirectLine Custom Product, a number of customers wrote the Commission urging it to retain SWBT's reverse search product because of its importance to their services and businesses. Such

page may want to know the name of the person initiating the page before returning the call. A DA provider subscribing to BellSouth's DADAS offering would be able to provide its end user with a valuable method to obtain such information. Moreover, both forms of BellSouth's existing reverse DA offerings (operator-assisted and EWPS) can provide BellSouth's end users a way to retrieve such information.

As the Commission is well aware, DA services are available for resale and directory listings are available to carriers and – in many instances – to independent DA providers. The same is true with respect to reverse search capabilities. A competitive local exchange carrier (“CLEC”) can have DA calls custom-routed by BellSouth to the CLEC's platform or DA provider's platform, where it too can provide reverse DA service.¹² If the Commission grants the requested waiver, BellSouth will be just another source providing a reverse search DA capability thereby serving the public interest by giving customers more choices.

Granting the instant waiver request for BellSouth's proposed DADAS offering will provide competing carriers with additional choices and allow them to expand their own DA services. Indeed, a number of inter-exchange carriers (“IXCs”) have expressed interest in BellSouth's proposed reverse search service, as it would provide them with additional DA capabilities to offer their end users. Clearly, increasing consumer alternatives will stimulate further competition in the telecommunications market.

customers included a city-owned utility, a police department, a county government, a bank, insurance investigators, and other firms.”).

¹² *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Third Report and Order and Fourth Further Notice of Proposed Rulemaking*, 15 FCC Rcd 3696, 3708 (1999) (“Incumbent LECs are not required to unbundle their OS/DA services pursuant to section 251(c)(3), except in the limited circumstance where an incumbent LEC does not provide customized routing to a requesting carrier to allow it to route traffic to alternative OS/DA providers.”).

Another reason to waive the CEI requirements and permit BellSouth to expand its reverse DA services to include DADAS is that such service is incremental to the information currently provided via BellSouth's existing DA services. Moreover, BellSouth can provide the reverse search capability with its DADAS offering more efficiently and quickly by utilizing existing databases. The same databases used to provide the current DADAS offering would be used to provide the reverse search capability for the DADAS product. Neither DA providers, carriers, nor consumers should be denied the benefits of these efficiencies, particularly when there are other providers and alternatives available.

The Commission should allow BellSouth to expand the reverse search capabilities for its operator-assisted and Electronic White Pages DA offerings to enable searches by all or part of a street address or range of street addresses. This is a logical extension of the existing reverse search capabilities already authorized by the Commission. Grant of the requested relief would serve the public interest by allowing BellSouth to offer a complete package of DA services to its end users.

BellSouth is not seeking authority to use unique telephone company facilities that others require in order to provide competing reverse search capabilities. Indeed, a number of competing providers already offer search requests using various fields of inquiry, including reverse searches. Services that are functionally equivalent to BellSouth's DADAS product are offered nationwide by companies such as LSSi, Acxiom, InfoUSA, Volt Delta, Experian, MetroMail and WYNWYN. None of these competitors requires interconnection with BellSouth's existing DADAS offering to provide their reverse search services.

The retail market for EWPS reverse search capabilities is just as – if not more – competitive than the wholesale market in which DADAS competes. The capability to search by

all or part of a street address or range of street addresses is already offered by other companies such as InfoUSA, Lexis-Nexis, Haines Criss-Cross Directories and AT&T. The same or similar information also is available from a number of Internet sites, such as WhitePages.com, 555-1212.com, SearchBug.com, wp.bigyellow.com and SuperPages.com.

For all of the services described above, the grounds for granting BellSouth's requested relief are essentially the same as those the Commission found persuasive in granting the recent SBC and Qwest waiver petitions to provide operator-assisted reverse DA services. In that order, the Commission noted the existence of other companies already providing similar services in the absence of applying the CEI requirements and concluded that the public interest would be served by providing consumers with additional competitive alternatives for DA service. In addition, in granting the waiver requests, the Commission was persuaded that the costs of compliance with the CEI requirements would far outweigh any potential benefits of compliance.¹³ The same reasons apply with equal force in the instant case.

III. REQUEST FOR WAIVER

As demonstrated above, BellSouth is seeking a waiver of the CEI requirements in order to provide reverse search capabilities on an integrated basis in connection with three of its existing offerings: (1) DADAS; (2) operator-assisted reverse DA; and (3) EWPS. A waiver of

¹³ *Petition of Nevada Bell, Pacific Bell, Southwestern Bell Telephone Company, Southern New England Telephone, and the Ameritech Michigan Bell, Ohio Bell, Illinois Bell, Indiana Bell, and Wisconsin Bell Telephone Companies To Provide Operator-Assisted Reverse Directory Assistance Services and Electronic Reverse Directory Assistance Services and for Waivers of and/or Forbearance from Any Comparably Efficient Interconnection or Telecommunications Act of 1996 Requirements*, CC Docket No. 00-227; *Petition of Qwest Corporation To Provide Operator-Assisted Service and for Waiver of Any Comparably Efficient Interconnection Requirements Deemed Applicable*, CC Docket No. 01-126, *Memorandum Opinion and Order*, DA 01-2516, ¶ 11 (rel. Nov. 1, 2001).

the CEI requirements is necessary because technological constraints will not permit BellSouth to offer these reverse search services economically on an equal access basis.

BellSouth submits that there is good cause for a waiver of the Commission's CEI requirements for the provision of the requested reverse search capabilities. In addition to the public interest benefits detailed above, literal compliance with the CEI rules likely would delay and potentially could prevent BellSouth from providing these expanded service offerings. As noted throughout this Petition, BellSouth already has authority to provide reverse search services in connection with its operator-assisted and EWPS offerings. BellSouth would like to expand not only its existing reverse search capabilities for these two products to include searches by all or part of a street address or range of street addresses, but also to enhance its DADAS offering available to competing DA providers to include a reverse telephone number search capability similar to its retail offerings.

The proposed reverse DA services cannot be offered as stand-alone services. Moreover, it is only feasible to offer these services as complementary to BellSouth's existing DA offerings using the same databases.¹⁴ No policy or market reason exists to require the costly development of a stand-alone search capability when similar offerings are already widely available from competing providers of directory services.

Enforcement of the CEI requirements is simply not necessary. In fact, enforcement of the CEI requirements would likely result in a situation in which BellSouth were unable to offer these expanded DA services to its customers, thereby reducing competition and consumer choice.

¹⁴ BellSouth believes it is not feasible to offer the proposed reverse search capabilities in any other way, and that offering the service through different channels would be redundant and overly expensive.

Competition is the cornerstone of the Commission's rules and policies. Allowing BellSouth to provide a reverse search capability as part of its DADAS product will enable competing carriers and DA providers to offer expanded DA services to their own customers. Moreover, permitting BellSouth to expand the existing search capabilities associated with its operator-assisted and EWPS reverse DA services will provide its own end users with more choices. In order to ensure that the public is not deprived of such benefits, the Commission should grant the waiver requested herein.

In sum, the costs of complying with the *Computer III* CEI requirements in this case would outweigh any potential benefits of increased competition that the requirements are intended to produce. Rather, application of the rules would, in fact, serve to decrease competition. Thus, BellSouth submits that it has shown good cause for the grant of a CEI waiver.

In the event the Common Carrier Bureau grants the requested relief, BellSouth will comply with the Commission's joint cost rules and make the appropriate adjustments to its Cost Allocation Manual. In addition, BellSouth will comply with the Customer Proprietary Network Information ("CPNI") requirements set forth in Section 222 of the 1996 Telecommunications Act and the Commission's implementing rules.

IV. CONCLUSION

For the foregoing reasons, BellSouth respectfully urges the Commission to waive the CEI requirements to enable BellSouth to expand its reverse search DA capabilities. First, BellSouth proposes to enhance its DADAS offering to provide the following reverse search capability: the capability to search by telephone number to obtain a name, address, or both. Second, BellSouth

would like to expand its operator-assisted and EWPS reverse DA services by adding the capability to search by all or part of a street address or range of street addresses.

Respectfully submitted,

BELLSOUTH CORPORATION

Its Attorneys

By: 

Angela N. Brown
Theodore R. Kingsley
Suite 4300
675 West Peachtree Street
Atlanta, GA 30375-0001
(404) 335-0724
(404) 335-0720

Date: February 22, 2002

ATTACHMENT 1

ORIGINAL

DOCKET FILE 0001 ORIGINAL

Angela N. Brown
Regulatory Counsel

BellSouth Corporation
Legal Department - Suite 4300
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375-0001
Telephone: 404-335-0724
Facsimile: 404-614-4054

GRANTED

OCT 17 2001

COMMON CARRIER BUREAU

*This grant is subject to the September 27, 2001
conditions stated in BellSouth's
letter of October 16, 2001.*

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Room TW-A325
445 12th Street, SW
Washington, D.C. 20554

RECEIVED

SEP 27 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

*Associate Chief,
Policy Division*

CC 01-288

**Re: Request for Special Temporary Authority To Expand BellSouth's Existing
Reverse Directory Assistance Capabilities To Include Nonlocal Listings**

Dear Ms. Salas:

BellSouth Corporation, on behalf of its wholly owned subsidiary, BellSouth Telecommunications, Inc. (collectively "BellSouth"), respectfully requests a grant of special temporary authority to expand its existing reverse directory assistance ("DA") services in order to provide nonlocal¹ listing information to its customers. Specifically, BellSouth requests authority to expand both its operator-assisted and electronic offerings to provide nonlocal reverse DA service. BellSouth would like to begin offering this service in phases throughout its nine-state region beginning October 31, 2001. In order to meet that scheduled date, BellSouth requests that the Common Carrier Bureau ("Bureau"), acting pursuant to its delegated authority, grant the special temporary authority requested herein.² Such action would be consistent with

¹ Reverse directory assistance is considered "nonlocal" whenever a customer requests the name and/or address of an individual or business outside the customer's home LATA or area code by providing a telephone number. See *Petition of U S WEST Communications, Inc. for a Declaratory Ruling Regarding the Provision of National Directory Assistance*, CC Docket No. 97-172, *Memorandum Opinion and Order*, 14 FCC Rcd 16252, 16255, ¶ 6 (1999) ("NDA Order"). BellSouth currently provides both local operator-assisted and electronic reverse directory services throughout its region. In this Petition, BellSouth proposes to expand its reverse DA services to include DA information for individuals or businesses outside its nine-state region.

² If, for any reason, the Commission or the Common Carrier Bureau, acting under its delegated authority, determines that a request for special temporary authority requires the filing of a formal petition, BellSouth respectfully requests that this letter be treated as such a petition.

the Bureau's recent approval of similar requests from both SBC (Nevada Bell, Pacific Bell, Southwestern Bell Telephone Company, Southern New England Telephone, and the Ameritech Telephone Companies) and Qwest Corporation.³ As stated above, BellSouth hopes to begin offering the nonlocal operator-assisted and electronic reverse directory services to the public around October 31, 2001.

Concurrently with the submission of this request, BellSouth is filing a Petition for a Waiver of the Commission's Comparably Efficient Interconnection ("CEI") requirements. BellSouth requests action by the Commission in order to provide nonlocal operator-assisted and electronic reverse DA services on a permanent basis. A copy of the Petition is attached and is incorporated by reference.

BellSouth's request for special temporary authority is designed to offer consumers an immediate, additional means of obtaining reverse DA service on a nonlocal basis. If granted the requested authority, BellSouth's customers would be able to obtain the customer name and address information associated with local as well as nonlocal telephone numbers through two means: (1) BellSouth's DA operators and (2) BellSouth's electronic white pages ("EWP") service. BellSouth will provide this DA information using the same databases and directory listing information available to other providers of directory assistance today, a number of which use these listings to provide similar types of reverse DA capability.

BellSouth has been providing operator-assisted reverse DA service since 1989 when it received authority pursuant to an order of the Modified Final Judgment ("MFJ") court.⁴ BellSouth later received authority to provide its electronic reverse search service in conjunction with its EWP offering after the Commission found this service to be in the public interest and granted a waiver of the CEI requirements.⁵ The Commission also previously granted BellSouth

³ SBC filed a request for special temporary authority to offer an operator-assisted reverse directory assistance service on March 30, 2000, asking for relief by April 7, 2000. *See* SBC Letter to Magalie Roman Salas from Sandra L. Wagner, Vice President, Federal Regulatory (dated March 30, 2000). On April 6, 2000, the Bureau granted the requested authority. A copy of the "granted" stamped front page is attached to this letter for the Bureau's convenience. *See* Attachment A. Qwest filed a nearly identical request for special temporary authority on June 8, 2001, asking for relief by June 18, 2001. *See* Qwest Letter to Magalie Roman Salas from Kathryn Marie Krause, Senior Attorney (dated June 8, 2001). It is BellSouth's understanding that the Bureau also granted the authority sought by Qwest.

⁴ *United States v. Western Electric*, No. 82-0192 (D.D.C. June 2, 1989). It is important to note that BellSouth, unlike either SBC or Qwest, has been authorized to provide operator-assisted reverse search services pursuant to an MFJ waiver since 1989.

⁵ *US WEST Communications, Inc. Petition for Computer III Waiver; BellSouth Petition for Waiver of Computer III Rules for Reverse Search Capability; Southwestern Bell Telephone Company Petition for Waiver of Computer III Rules for Reverse Search Capability*, CC Docket No. 90-623, *Memorandum Opinion and Order on Reconsideration*, 11 FCC Rcd 7997 (1996).

forbearance from the Section 272 separate affiliate requirements for operator-assisted reverse directory services.⁶ The reasons for granting the BellSouth forbearance request – as well as for granting the recent SBC and Qwest requests to provide operator-assisted reverse directory services – are equally applicable in this case: consumers benefit from the services; competitive alternatives are available; the telephone companies would be unlikely to provide the service if they were required to comply with the CEI and separate affiliate requirements; and the public interest would be served by providing consumers with another directory assistance option and doing so without delay.

Given the existence of prior waivers and exceptions, and the similarity of the capability BellSouth now seeks to offer to those services already provided by BellSouth pursuant to prior waivers and grants of authority, the instant request warrants and supports a grant of special temporary authority.⁷ Accordingly, BellSouth requests that the Bureau authorize BellSouth to begin offering nonlocal operator-assisted and electronic reverse DA services as soon as possible. A grant of special temporary authority would not only serve both the interests of competition and the public interest, but also conform with other Commission practices (*e.g.*, allowing a tariff to take effect on a one-day suspension, and permitting the service to be provided while the matter is investigated).

Should the Commission ultimately decide not to grant BellSouth's attached Petition, BellSouth agrees that, within 30 days of the *Public Notice* of the Commission's decision or order, it will either come into compliance with the conditions set forth in such a decision or order or withdraw the nonlocal reverse DA offerings. Consequently, no one will be harmed by the Bureau's grant of this request. Moreover, the public will benefit from the requested temporary authority.

⁶ *Bell Operating Companies Petitions for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities*, CC Docket No. 96-149, *Memorandum Opinion and Order*, 13 FCC Rcd 2627 (1998). The prohibition on the Bell Operating Companies' offering interLATA information services expired on February 8, 2000, thereby making Section 272 forbearance no longer necessary. *Request for Extension of the Sunset Date of the Structural, Nondiscrimination, and Other Behavioral Safeguards Governing Bell Operating Company Provision of In-Region, InterLATA Information Services*, CC Docket No. 96-149, *Order*, 15 FCC Rcd 3267 (2000).

⁷ See *Melody Music, Inc. v. FCC*, 345 F.2d 730 (D.C. Cir. 1965) (holding that the Commission must ensure comparable treatment of similarly situated parties).

Ms. Magalie Roman Salas
September 27, 2001
Page 4

Thank you for your attention to this matter. If you have any questions or require additional information, please feel free to contact me at the above-referenced number.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Angela N. Brown".

Angela N. Brown

Attachments

cc: Michelle Carey
William A. Kehoe, III
Janice M. Myles
Ann H. Stevens
Renee Crittendon

SBC

GRANTED

APR 2000

COMMON CARRIER BUREAU

March 30, 2000

Ms. Magalie Rymen Salas
 Secretary
 Federal Communications Commission
 Room TW-A325
 445 12th Street, S.W.
 Washington, D.C. 20554

**Re: Request for Special Temporary Authority To Provide Operator-Assisted
 Reverse Directory Assistance Services**

Dear Ms. Salas:

SBC Communications Inc. (SBC), on behalf of its telephone company subsidiaries,¹ requests that they be granted special temporary authority to provide Operator-Assisted Reverse Directory Assistance Services beginning April 1, 2000. SBC requests that the SBC telephone companies be granted such special authority either by order of the Commission or by the Common Carrier Bureau acting under its delegation of authority.²

Concurrently with the submission of this request, the SBC telephone companies are filing a Petition for a Waiver and/or Forbearance from the Commission's Comparably Efficient Interconnections (CEI) and Telecommunications Act of 1996 requirements that the Commission may deem applicable, such that they will be allowed to provide Operator-Assisted Reverse Directory Assistance Services and, where waivers have not been previously granted, Electronic Reverse Directory Assistance Services. A copy of the Petition is attached and is incorporated by this reference.

The SBC telephone companies' request for special temporary authority is designed to offer consumers an immediate, additional means of obtaining reverse directory assistance information - namely, the ability to obtain customer name and address information associated with a telephone number - from the SBC telephone companies' directory

¹ Nevada Bell (NVB), Pacific Bell (PB), Southwestern Bell Telephone Company (SWBT), Southern New England Telephone (SNET), and the Ameritech (AIT) Michigan Bell, Ohio Bell, Illinois Bell, Indiana Bell, and Wisconsin Bell Telephone Companies (collectively, SBC telephone companies).

² If for any reason, the Commission or the Common Carrier Bureau acting under its delegated authority determines that a request for special temporary authority requires the filing of a formal petition, then the SBC telephone companies respectfully request that this letter be treated as such a petition.

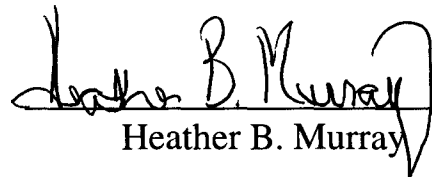
ATTACHMENT 2

AFFIDAVIT OF HEATHER BONNA MURRAY

I, Heather Bonna Murray, first being duly sworn, hereby state that the following information is true and correct to the best of my knowledge, information and belief:

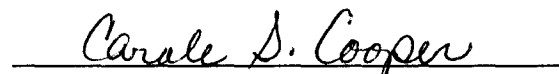
1. I am an employee of BellSouth Telecommunications, Inc., a wholly owned subsidiary of BellSouth Corporation. I am a Senior Product Manager in Operator Services. My current business address is 675 West Peachtree Street N.E., 40K63, Atlanta, Georgia 30375. I have been an employee of BellSouth Telecommunications and its predecessor companies since 1999. In my capacity as Senior Product Manager, I am responsible for new applications and development for the Direct Access to Directory Assistance Service (DADAS) product offering.
2. As Senior Product Manager, Operator Services, I have been asked to provide pertinent information regarding reverse telephone number search capability for DADAS.
3. For purposes of this Affidavit, the "telephone number search capability" to be addressed is one that would interact with the existing DADAS product. The request to search by telephone number would not be combined with a request to search by name (each type of request is a stand-alone search), but the source of the "matching" information would be the existing corporate database. Such a capability would permit a DADAS customer to input a telephone number and have the corporate database return the name and address information associated with the input information, in those circumstances where a match is found in the listing database.
4. The existing DADAS application allows for search by name.
5. To create the kind of stand-alone telephone search capability described above, i.e., one that would utilize the existing corporate database, the following assumptions were made:
 - a. Existing hardware, software and communications would be used.

- b. The existing database and associated load programs would be used to support the telephone number search capability.
 - c. Existing customer billing programs for DADAS would be used to bill customers for searches utilizing the telephone number search capability.
6. Certain common work activities will be required to provide for a stand-alone telephone number search capability. These "common" work activities include:
- a. Resultant NPAs and NXXs would need to be checked as valid.
 - b. The existing corporate databases would have to be configured to support a reverse telephone number search capability, so the actual search can commence to ascertain all listings matching the requested telephone number.
 - c. Warning flags, which indicate whether or not the customer is a non-published/non-listed customer, would need to be checked and verified.


Heather B. Murray

Subscribed and sworn to before me this 22 day of February, 2002 by Heather B. Murray.

WITNESS my hand and official seal.


Notary Public

My Commission Expires: Notary Public, DeKalb County, Georgia
My Commission Expires March 11, 2003

CERTIFICATE OF SERVICE

I do hereby certify that I have this 22nd day of February 2002 served the following parties to this action with a copy of the foregoing **REQUEST FOR SPECIPAL TEMPORARY AUTHORITY TO EXPAND BELL SOUTH'S EXISTING DIRECTORY ASSISTANCE CAPABILITIES AND AMENDMENT TO PETITION FOR WAIVER** by electronic filing and/or by placing a copy of the same in the United States Mail, addressed to the parties listed below.

+Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
The Portals, 445 Twelfth Street, S. W.
Room TW-B204
Washington, D. C. 20554

William A. Kehone, III
Federal Communications Commission
The Portals, 445 Twelfth Street, S.W.
Washington, D. C. 20554

+Qualex International
The Portals, 445 Twelfth Street, S. W.
Room CY-B02
Washington, D. C. 20554

Janice M. Myles
Common Carrier Bureau
Federal Communications Commission
The Portals, 445 Twelfth Street, S. W.
Room 5-C327
Washington, D. C. 20554

Michelle Carey
Policy and Program Planning Division
Federal Communications Commission
The Portals, 445 Twelfth Street, S. E.
Room 5-B122
Washington, D.C. 20554

Renee Crittendon
Federal Communications Commission
The Portals, 445 Twelfth Street, S. W.
Washington, D. C. 20554

Ann H. Stevens
Policy and Program Planning Division
Federal Communications Commission
The Portals, 445 Twelfth Street, S. E.
Room 5-B122
Washington, D. C. 20554


Juanita H. Lee

+ VIA ELECTRONIC FILING

Amendment to Petition for Waiver
BellSouth Corp.
February 22, 2002